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November 29, 2006

Deputy Clerk Maryellen Molloy
U.S. District Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, MA 02210

Re: *Averill Barkhouse, et al v. Delta Air Lines, Inc., et al*
Civil Action No.: 05-11660 NG

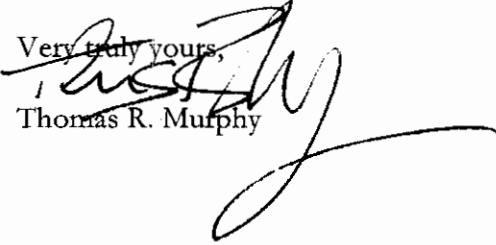
Dear Ms. Malloy:

I regret I will be in New York City meeting with clients on December 7, 2006, the day on which the Court has scheduled a Status Conference in this matter. I write to advise the Court that I will not be able to attend, do not have anyone to appear in my stead, and explain my position on what I believe to be the reason for the Conference.

This tort case against two defendants settled on October 6, 2006, with one defendant ("GlobeGround") agreeing to pay the entire settlement and the other, my client ("Delta"), agreeing to waive its cross-claim. Relying exclusively on GlobeGround's offer, and ignorant of its agreement with Delta, the plaintiffs released both defendants two weeks later. As of this morning they remain unpaid. Counsel has now moved for an Order enforcing the settlement. I have read the plaintiffs' motion and agree with their position. I have signed the Stipulation of Dismissal, with prejudice, and sent it to counsel for GlobeGround who, after paying the settlement, can sign and file it, thereby closing this case entirely. I cannot add anything else to this matter, and doubt I would be of any assistance at the Conference.

If the Court prefers I formally ask for permission to be excused, please let me know. If so, I will file such a motion tomorrow. Thank you for your attention to this matter and please let me know if you have any questions.

TRM/
C: Kevin C. Cain, Esquire
Helen E. Tsingos, Esquire

Very truly yours,

Thomas R. Murphy

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CLERK'S OFFICE
2006 NOV 30 P 2:42
U.S. DISTRICT COURT
DISTRICT OF MASS.